

FEB 27 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JOHN F. CORCORAN, CLERK

BY: *H. W. Moore*
DEPUTY CLERK

REGINA M. CHRISTMAS,

Plaintiff,

v.

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,*Defendant.*

CIVIL ACTION No. 3:05-CV-00027

ORDER

JUDGE NORMAN K. MOON

This case comes before this Court on the Commissioner of Social Security's objections to the January 26, 2006 Report and Recommendation of the presiding United States Magistrate Judge. The Magistrate Judge recommended that the court remand the final decision of the Commissioner for further proceedings. Having thoroughly considered the Report and Recommendation, the Commissioner's objections, the applicable law, and the documented record, and for the reasons stated in the accompanying Memorandum Opinion, it is accordingly this day

ADJUDGED, ORDERED AND DECREED

as follows:

1. The Commissioner's objections to the Report and Recommendation shall be, and they hereby are, OVERRULED;
2. The decision recommended in the Magistrate Judge's January 26, 2006 Report


and Recommendation shall be, and it hereby is, ADOPTED;

3. The decision shall be, and it hereby is, REMANDED to the Commissioner for further proceedings. In the event that the Commissioner is unable to grant benefits on the current record, she shall recommit the case to a Law Judge to conduct supplemental evidentiary proceedings in which both sides may introduce additional evidence.

4. This case shall be, and it hereby is, STRICKEN from the docket of the Court.

The Clerk of Court hereby is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to Magistrate Judge Crigler and to all counsel of record.

ENTERED:


United States District Judge

2/22/06
Date